

TIMOTHY A. MOTT, ESQ.
Nevada Bar No. 12828
tim@valientemott.com
JAMES A. TRUMMELL, ESQ.
Nevada Bar No. 14127
jim@valientemott.com
PETER PETERSEN, ESQ.
Nevada Bar No. 14256
peter@valientemott.com
VALIENTE MOTT, LTD.
700 South 7th Street
Las Vegas, NV 89101
Telephone: (702) 623-2323
Facsimile: (702) 623-2323

Attorneys for Plaintiff

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

FRANK SCHURR, an individual,

Plaintiff

v.

TWIN RESTAURANT LV-2, LLC dba TWIN
PEAKS, a domestic limited liability company, a
foreign corporation; TWIN RESTAURANT
HOLDING, LLC, a foreign limited liability
company, FAT BRANDS INC., a foreign
corporation; ROE DISTRIBUTORS I through X,
ROE MANUFACTURERS I through X, ROE
BUSINESS ENTITIES, I through X; and DOE
INDIVIDUALS I through X; Inclusive,

Defendants

Case No.: 2:22-cv-01759-CDS-DJA

**STIPULATION AND ORDER
TO DISMISS WITHOUT
PREJUDICE DEFENDANT TWIN
RESTAURANT HOLDING, LLC
ONLY**

IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff FRANK
SCHURR, by and through his counsel of record James A. Trummell, Esq. of VALIENTE MOTT
LTD., Defendants TWIN RESTAURANT LV-2, LLC and FAT BRANDS, INC. and TWIN
RESTAURANT HOLDING, LLC, by and through their counsel of record Michael P. Lowry, Esq.
and Jonathan C. Pattillo, Esq. of WILSON ELSER MOSKOWITZ EDELMAN & DICKER, LLP,
and Defendant SYSCO LAS VEGAS, INC., by and through its counsel of record Griffith H.

Hayes, Esq. and Ty Maynarich, Esq., of TYSON & MENDES LLP, that Plaintiff's claims against Defendant TWIN RESTAURANT HOLDING, LLC, only, shall be withdrawn and dismissed without prejudice.

IT IS FURTHER STIPULATED AND AGREED that Plaintiff will not amend his Complaint to bring forth allegations against Defendant TWIN RESTAURANT HOLDING, LLC, for purposes of alleging personal jurisdiction of this court.

IT IS FURTHER STIPULATED AND AGREED that the remaining Defendants, TWIN RESTAURANT LV-2, LLC; FAT BRANDS, INC.; and/or SYSCO LAS VEGAS, INC. shall not make any arguments, references, statements, inferences, or otherwise imply that Defendant TWIN RESTAURANT HOLDING, LLC has any culpability or liability, shared or otherwise, related to the subject incident, which occurred on October 7, 2021 and is the basis of this lawsuit.

IT IS FURTHER STIPULATED AND AGREED that each party shall bear their own fees and costs in connection with the dismissal of Defendant TWIN RESTAURANT HOLDING, LLC.

IT IS SO STIPULATED.

DATED this 12th day of April 2024.

VALIENTE MOTT, LTD.

/s/ James A. Trummell

JAMES A. TRUMMELL, ESQ.

Nevada Bar No. 14127

700 S. Seventh Str.

Las Vegas, NV 89101

Attorneys for Plaintiff

DATED this 12th day of April 2024.

TYSON & MENDES LLP

/s/ Griffith H. Hayes

GRIFFITH H. HAYES, ESQ.

Nevada Bar No. 7374

2835 St. Rose Pkwy., Suite 140

Henderson, NV 89052

Attorney for Defendant SYSCO LAS VEGAS, INC.

DATED this 12th day of April 2024.

WILSON ELSEER MOSKOWITZ
EDELMAN & DICKER, LLP.

/s/ Jonathan C. Pattillo

JONATHAN C. PATTILLO, ESQ.

Nevada Bar No. 13929

6689 Las Vegas Blvd. South, Suite 200

Las Vegas, NV 89119

Attorneys for Defendants

Twin Restaurant LV-2, LLC; Twin Restaurants Holding, LLC; and FAT Brands, Inc.

VALIENTE MOTT

ORDER

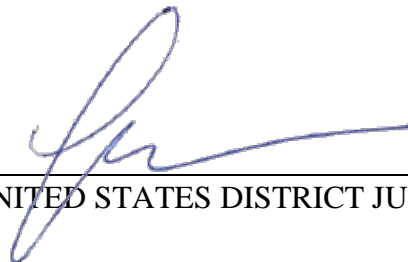
IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Plaintiff's claims against Defendant TWIN RESTAURANT HOLDING, LLC, *only*, shall be withdrawn and dismissed without prejudice.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Plaintiff will not amend his Complaint to bring forth allegations against Defendant TWIN RESTAURANT HOLDING, LLC, for purposes of alleging personal jurisdiction of this court.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the remaining Defendants, TWIN RESTAURANT LV-2, LLC; FAT BRANDS, INC.; and/or SYSCO LAS VEGAS, INC. shall not make any arguments, references, statements, inferences, or otherwise imply that Defendant TWIN RESTAURANT HOLDING, LLC has any culpability or liability, shared or otherwise, related to the subject incident, which occurred on October 7, 2021 and is the basis of this lawsuit.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that each party shall bear their own fees and costs in connection with the dismissal of Defendant TWIN RESTAURANT HOLDING, LLC.

Dated: April 15, 2024


UNITED STATES DISTRICT JUDGE

RESPECTFULLY SUBMITTED BY:

VALIENTE MOTT, LTD.

/s/ James A. Trummell

JAMES A. TRUMMELL, ESQ.
Nevada Bar No. 14127
700 S. Seventh Str.
Las Vegas, NV 89101
Telephone: (702) 623-2323

Attorneys for Plaintiff